

the parties may easily unite in drawing out the agreement in the proper form, and pursuant to the genuine intent of the parties, however informally expressed by themselves.

Extract from the record of Proceedings
of the President and Directors of the
Chesapeake and Ohio Canal Company.

ROBT. BARNARD, Clk. Pro. Tem.

September 20th, 1830.

[No. 47.]

*Office of the Balt. and Ohio Rail Road Company, }
25th October, 1830.*

*To the President and Directors of the
Chesapeake and Ohio Canal Co.*

GENTLEMEN,—Your communication, of the 20th Sept. in reply to the proposition, which, under date of the 26th of the preceding month, had been submitted by this board, for the adjustment of the existing differences between the canal and rail road companies, was duly received, and has claimed our earnest and deliberate attention.

The effect of several of the modifications which you have proposed, of the conditions offered by us, not being fully understood by this board, it was deemed most proper, before we should return a definitive answer upon them, to refer the subject to the consideration of the chief engineer of the rail road company, who has acted as one of the commissioners in making the examinations of the line in dispute. The report of that officer, in consequence of his absence from the city, and recent severe illness, has not yet been made.

The board being anxious, as much as possible, to avoid any delays in bringing the subject to a final arrangement, have, under the circumstances, instructed me to state, that while some of the modifications, in mere matters of detail, proposed by the canal company, appear not to be altogether free from objection, and while this company are not prepared at present to assent to all of them, nevertheless, we feel confident that these minor subjects may be satisfactorily arranged by an amicable discussion between the parties, provided the basis on which the compromise is to be made, shall first be agreed upon. Under this view, we have thought that it would tend to facilitate the